

Response
Application No. 10/813,116
Attorney Docket No. 042164

REMARKS

Claims 1 - 13 are pending in the present application. By this Amendment claims 10-13 have been amended and claims 1-3 have been cancelled without disclaimer. No new matter has been added. It is respectfully submitted that this Amendment is fully responsive to the Office Action dated December 26, 2006.

As to the Merits:

As to the merits of this case, the Examiner sets forth the following rejections:

claims 1, 3, 4, 6, 7, 9 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by **Nagata** (US Patent No. 3,659,159);

claims 2, 5, 8, 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Nagata** in view of **Moise et al.** (US Patent No. 6,008,917);

claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Nagata** in view of **Cornely et al.** (US Patent No. 3,319,080);

claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Nagata** in view of **IBM Technical disclosure Bulletin** ("Electronic Readout Tunnel Diode Memory");

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claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Nagata** in view of **Moise et al.** and further in view of **Cornely et al.**; and

claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Nagata** in view of **Moise et al.** and further in view of **IBM Technical disclosure Bulletin**.

Each of these rejections is respectfully traversed.

Independent Claim 4:

Independent claim 4 calls for *at least one photodiode for converting an optical signal to an electrical signal; and a resistor having its one end connected to an anode of this photodiode.*

With regard to claim 4, the Examiner relies on the disclosure in Fig. 4 of the **Nagata** reference, as discussed on page 3 of the Action. However, it is respectfully submitted that the Examiner is mischaracterizing the teaching of **Nagata**, since the Examiner characterizes the photoelectric conversion element 42 of Fig. 4 as a photodiode, which is incorrect. See, page 3, lines 9-10 of the Action.

Instead, according to **Nagata**, the photoelectric conversion element 42 consists of a photo-conductive material, such as CdS or CdSe, wherein either a photo-transistor or a solar

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battery may be used as the photoelectric conversion element 42. Please, see col. 3, lines 52-53 and col. 4, lines 7-8 of **Nagata**.

As such, it is respectively submitted that the optoelectronic amplifier circuit, as shown in Fig. 4, of **Nagata**, see col.4, lines 63-64, does not include at least one photodiode for converting an optical signal to an electrical signal, as called for in claim 4, since instead the optoelectronic amplifier of Fig. 4 includes either a photo-transistor or a solar battery, but not a photodiode, as the photoelectric conversion element 42.

Accordingly, it is submitted that **Nagata** fails to anticipate the features of claim 4, since such reference fails to disclose *at least one photodiode for converting an optical signal to an electrical signal; and a resistor having its one end connected to an anode of this photodiode.*

Independent Claim 7:

Independent claim 7 calls for *at least one photodiode for converting an optical signal to an electrical signal; and a resistor having its one end connected to an anode of this photodiode.*

With regard to independent claim 7, it is believed that the arguments made above with regard to claim 4 are applicable to claim 7 as well. In other words, it is submitted **Nagata** also fails to anticipate the features of claim 7, since such reference again fails to disclose *at least one*

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photodiode for converting an optical signal to an electrical signal; and a resistor having its one end connected to an anode of this photodiode.

Claim 11:

Claim 11 calls for *wherein the photodiodes are provided at least in series*. With regard to claim 11, the Examiner is mis-characterizing the features of the IBM Technical Disclosure Bullentin, since such reference does disclose photodiodes provided in series. Instead, such reference discloses that a tunnel diode, a current limiting diode and a photo diode are connected in series. As such, it is submitted that the IBM Technical Disclosure Bullentin fails to disclose or fairly suggest the features of claim 11 concerning *wherein the photodiodes are provided at least in series*.

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

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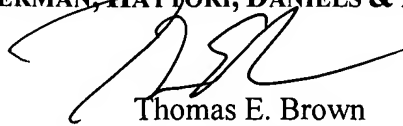
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If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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